

**TOWN OF TRURO
- MINUTES -
BOARD OF SELECTMEN
MEETING OF WEDNESDAY, JUNE 30, 2004**

The Truro Board of Selectmen held their regular meeting on Wednesday, June 30, 2004 at 6 PM at Truro Town Hall. Members present were: Chairman Alfred Gaechter; Vice-Chairman Christopher R. Lucy; Clerk Gary Palmer; Lloyd F. Rose; Paul J. Asher- Best. Assistant Town Administrator John J. Sanguinet was also present, as well as Mark Peters, Michael Benjamin, Betty Groom, Martha Nagy, Alan Frankel, John Monahan, Tim Hall, Kevin Kuechler, Bill Worthington, Howard Irwin, Kaimi Lum of "The Banner," and Patrick O'Neill of "The Cape Codder".

Chairman Gaechter convened the meeting at 6 PM.

Minutes – June 23, 2004. Mr. Palmer moved to approve the minutes of 6/23/04 as presented; Mr. Lucy provided the second. 5/0 unanimous vote to approve.

Public Comment – No one was present for comment.

Review Decision regarding the Town Hall Chimes – Mr. Gaechter mentioned several letters of complaint from various property owners as well as complaints heard at previous meetings. He mentioned the section of the general bylaw relating to noise and noted the board would commence discussion. Mr. Palmer noted he believed the town is operating under the parameters of the noise bylaw. Ms. Groom said she had polled various residents and some had suggested the chimes be silent from 10 PM to 6 AM; generally, those polled were supportive of the chimes in the daytime. Mr. Gaechter suggested the following: have the Town Administrator speak with the manufacturer to see if the chimes could be modified to be off from 10 PM to 7 AM; contact Town Counsel for an opinion on whether chimes are included in the general bylaw; borrow a decibel meter to determine an exact figure. Mr. Gaechter asked Assistant Town Administrator Sanguinet to get information on the decibel meter. Ms. Nagy, another neighbor, spoke about the chimes. She noted those who were unhappy about the chimes had come forward; however, those who are happy with them do not necessarily come forward and she spoke in support, as did Mr. Worthington, another resident. Mr. Gaechter said the job of the Board of Selectmen is to address all aspects. Mr. Asher-Best said he believed the chimes belong in the public domain; he agreed he would like to delay consulting Town Counsel until all information was obtained. In summary, the manufacturer will be consulted; a decibel meter will be acquired and the chimes will be tested to ensure compliance with the bylaw.

Appointments to Solid Waste Disposal Study Committee – Mr. Gaechter said even though neither Ms. Kadar nor Ms. Peters was present, the members are aware of their qualifications, and their applications could be moved anyway. **Motion: (Mr. Gaechter) Move to appoint Susan Kadar (At-large representative) and Jane Hutchings Peters (Chamber of Commerce representative) to the Solid Waste Disposal Study Committee. Mr. Asher-Best provided the second to the motion. 5/0 vote, unanimous.**

Contract Agreement Discussion – Pamet Harbor Channel and Mooring Basin Dredging. Assistant Town Administrator Sanguinet explained the contract with Coastal Engineering Company, Inc., was on file and including the following in the Scope of Services: 1) Notice of Intent to be filed with ConsCom and DEP; 2) Chapter 91 License Application; 3) Army Corps of Engineers Permit Application, etc. The Harbormaster will work in concert with Coastal Engineering on this process. It was hoped the dredging company will be in Truro during the normal dredging period of late January 2005. Mr. Palmer asked about removing a jetty rather than dredging year after year. Mr. Asher-Best asked about funding source. Mr. Sanguinet said funds were still available and would be encumbered. After further discussion the following Motion was made:

Motion: (Mr. Asher-Best): Move to approve signing "Authorization to Proceed" Contract between the Town of Truro and Coastal Engineering Co., Inc. Second provided by Mr. Palmer. 5/0, unanimous vote.

Discussion: A question was raised about any study on removal of the jetty; Mr. Lucy asked which jetty, and Mr. Palmer said the north jetty. Mr. Lucy noted he had never heard of proposed removal of north or south jetties. Mr. Palmer said he was interested in seeing if there are alternatives to dredging. Mr. Gaechter asked Lucy, as liaison to Pamet Harbor Commission, to research available information on dredging issues.

Miscellaneous Action Issues –

- Multiple one-day liquor licenses – Pamet Harbor Yacht & Tennis Club, Inc. – 8/8/04; 8/13/04; 8/21/04; and 9/5/05.

Motion: (Mr. Gaechter): Move to approve multiple one-day liquor licenses to Pamet Harbor Yacht & Tennis Club, Inc. Second, Mr. Asher-Best. 5/0, Unanimous vote.

- Authorization for wedding ceremony at Longnook Beach, 7/31/04 at 6 PM.

Motion: (Mr. Gaechter): Move to approve authorization for wedding ceremony at Longnook Beach on 7/31/04, subject to normal comments from Beach Supervisor and Police Department.

Assistant Town Administrator's Report

Beach Supervisor Dick Seed has formally resigned as Beach Supervisor. Catherine Costa will assume his position. The Board spoke highly of Mr. Seed's work and a letter of appreciation will be sent to Mr. Seed.

Chief Thomas will be attending a conference on Homeland Security from June 27 until July 3, 2004. A letter had been received from the Architectural Access Board regarding the town's request for a variance from the requirement of providing an accessible entrance on the south side of Town Hall, (reference to Section 25.1 of Rules and Regulations of the Architectural Access Board). The variance has been granted with the following conditions: 1) signage be provided at the inaccessible entrance indicating the location of the accessible entrance; 2) compliant handrails are provided in accordance with 521 CMR, Sec. 27 for the south side historic entrance.

A notice has been received from the Division of Marine Fisheries designating Pilgrim Lake as closed to shellfishing. This area was defined in the letter with a redefinition submitted as well.

A letter had been sent to the Town from Cape Light Compact Administrator Downey apprising them of Compact vendors and possible misrepresentation from other companies as being under Cape Light Compact aegis.

John Portnoy of the National Park Service has informed the Conservation Commission of the necessity for cutting narrow paths to the Pilgrim Lake area to complete topographic surveys and to access the Moon Meadow area when a prescribed burn is held.

DHCD has sent notice of continuation of EO 418 Certification (Executive Order 418 Housing Certification during fy05. Truro has received certification in the past. The Calendar for the Board was included in the agenda packet as well.

Report - Board of Selectmen –

Mr. Rose spoke about the volume of papers received and method of disposal of them after review. Members discussed shredding, and it was noted there was a shredder at town hall.

Mr. Gaechter asked about the status of the filing cabinets for the selectmen. Mr. Sanguinet said they should be arriving within the next two weeks..

Liaison Reports – Nothing provided.

Other Business –

Mr. Gaechter said they would be reviewing the draft of the advertisement for the Town Administrator position in the future, as well as a job description.

Mr. Asher-Best spoke of a review of goals and objectives and said he was working on a copy for discussion.

Mr. Gaechter asked if the advertisement for the Search Committee had been placed; Mr. Sanguinet said he would check on this.

Mr. Asher-Best requested copies of ads that were in the Mass. Municipal posting.

Agenda items should be provided to Mr. Sanguinet by noon on Friday.

Mr. Asher asked if the DHCD reference to grant programs in the EO418 Certification letter was applicable to any Truro projects. Mr. Palmer explained this would only be applicable to new municipal projects.

Motion made and seconded to adjourn the regular meeting at 6:40 PM.

6:45 PM. Motion made by Mr. Gaechter: Move to enter into Executive Session in accordance with the provisions of Massachusetts General Law Chapter 39, Section 23 B, to (1) consider the purchase, exchange, taking lease, or value of real property; and (2) discuss strategy with regard to litigation; and to NOT reconvene in open session. Second: Mr. Asher-Best. So Voted: Mr. Palmer, Aye; Mr. Lucy, Aye; Mr. Asher-Best, Aye; Mr. Rose, Aye; Mr. Gaechter, Aye. Unanimous, 5/0.

Alfred Gaechter, Chairman

Christopher R. Lucy, Vice Chairman

Gary Palmer, Clerk

Lloyd F. Rose

Paul J. Asher-Best
Board of Selectmen
Town of Truro

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